

of the first section of this act, or the directors, trustees, or managers of any industrial school or children's home to which the board of commissioners of any county may lend aid, under the provisions of the tenth section of this act, shall take under their guardianship and receive into their institution, if the same shall afford sufficient accommodations for them, all indigent children of such county under the age of fourteen years who may be committed to their care and custody in either of the following modes: *First.* Children who may be committed to such institution by the board of commissioners of the county by which the same may be established or aided on the ground that they are chargeable to the county. *Second.* Children who, upon the application of the directors, trustees or managers of such institution or of any two respectable citizens of the county, may be committed to the care and custody of the directors, trustees or managers of such institution by the clerk of the superior court of such county as hereinafter provided on the ground that the same are indigent within the meaning of this act.

SEC. 13. On application of any person to have a child committed to any such institution it shall be the duty of the clerk of the superior court to inform himself of the circumstances of the case, and for this purpose he shall cite before [him] one or more of the directors, trustees or managers of such institution and also the parents, parent or guardian or next friend or other person having the custody of such child, and shall carefully by affirmation examine such persons as he may deem proper as may be offered as witnesses, and the evidence taken by him he shall commit to writing and shall file the same, together with his findings of facts and his adjudication thereon, as a record of said court, and shall record his final judgment or order in the case in a book to be kept by him for that purpose. If he shall adjudge such child to be indigent within the meaning of this act he may issue to the directors, trustees or managers of such institution under the seal of said court a commitment of said child to their care and custody, and such commitment shall be received in all courts of this state as proof of the guardianship of said directors, trustees or managers over said child and their right to retain the said child in their custody under this law: *Provided*, that no white child shall be committed to any such institution established or maintained for colored children, and no colored child shall be committed to any such institution established or maintained for white children: *And provided further*, that no child shall be committed to any such institution unless such child shall have acquired a legal settlement in the county by which such institution is maintained or aided as is now required in case of paupers.

Proceedings before superior court clerk on application for committal of child into institution.

Proviso.

Proviso.

SEC. 14. Any party to such proceeding before the clerk of the superior court of any county may appeal from the decision of the

Appeal from decision of clerk.